

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

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# PCT

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) **04 JANUARY 2005 (04.01.2005)**

Applicant's or agent's file reference  
**FE241509**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/KR2004/002467**

International filing date (day/month/year)

**24 SEPTEMBER 2004 (24.09.2004)**

Priority date(day/month/year)

26 SEPTEMBER 2003 (26.09.2003)

International Patent Classification (IPC) or both national classification and IPC

**IPC7 H04L 27/26**

Applicant

**UTStarcom Korea Limited et al**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.  
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002467

**Box No. I Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/KR2004/002467

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

**2. Citations and explanations :**

Reference is made to the following documents:

D1 = JP 2002280988 A

**Novelty**

the two inventions are different in that D1 doesn't teach that the inputted signals are twice mixed, digitally mixed and quadrature-mixed again. Therefore, the invention according to claims 1-9 is considered to be novel.

**inventive step**

The invention according to claims 1-9 relates to an apparatus and a method for digitally implementing a wideband multicarrier.

D1 discloses a method and a device for receiving both single carrier and multicarrier with high cost performance.

As compared with D1, there is a similarity between the present invention and the device in D1 in that multicarrier modulation with high cost performance is implemented.

On the other hand, the invention is different from D1 in that the inputted signals are mixed twice, digitally mixed and quadrature-mixed again.

Therefore, claims 1-9 of this invention lack an inventive step under Article 33(3) as being obvious over D1.

**Industrial Applicability**

The subject matter of claims 1-9 fulfills the requirements of Article 33(4) PCT because it is useful.